

EXHIBIT C

DEC 20 2013 12:15 PM

SOL G ATLAS REALTY

NO. 763 P. 22

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

☐ FEPA☒ EEOC

846-2012-70320

New York State Division Of Human Rights

and EEOC

Name (Indicate Mr., Ms., Mrs.)

Mr. Winston Lawrence

Home Phone (Incl. Area Code)

(347) 869-6219

Date of Birth

06-16-1960

Street Address

City, State and ZIP Code

117-43 223rd Street, Canbra Heights, NY 11411

* Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

SOL G ATLAS REALTY COMPANY INC.

No. Employees, Members

Phone No. (Include Area Code)

Unknown**(516) 487-9030**

Street Address

City, State and ZIP Code

185 Great Neck Road, Great Neck, NY 11021

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☒ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☐ RETALIATION ☐ AGE ☐ DISABILITY ☐ GENETIC INFORMATION
☐ OTHER (Specify)

DATE(S) DISCRIMINATION TOOK PLACE
Earliest Latest**03-19-2013**☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)).

I am an African American male who has been employed at the above-named entity from about 1993 until the present as a Porter in Building 12.

I believe I have been discriminated against by my employer on the basis of my race since July 2008 when Peter Fidos (White, Polish) was hired as the super of the building. Specifically, Mr. Fidos has written me up, suspended me, and docked my pay without reason. He has also subjected me to differential treatment such as: Several Polish employees are allowed to leave 1 hour early twice a week, but I am not permitted to leave early; I am written up when there is litter found outside my building, but Mr. Fidos calls the Polish employees to let them know there is litter outside of their building and gives them a chance to pick it up; I am suspended if I arrive even 2 minutes late, but Polish employees arrive 10-15 minutes late and are not reprimanded. Mr. Fidos also excluded me and 3 other black workers from his birthday party during working hours, while all the Polish employees were invited to attend.

(Continued)

CORT S. ZINK
Notary Public, State of New York
No. 01216057791
Qualified in Nassau County
Expires: **4/23/2015**

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

NOTARY - When necessary for State and local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

Winston Lawrence
SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

4/5/2013

Date

Charging Party Signature

4/5/2013

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SOL G ATLAS REPLY

NO 1763

P.23

m 5 (11/08)

CHARGE OF DISCRIMINATION

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Charge Presented To:

Agency(ies) Charge No(s):

☐ FEPA☒ EEOC

846-2012-70320

New York State Division Of Human Rights

and EEOC

State or local Agency, if any

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

In or about spring 2011, Respondent's accountant informed my colleague that Mr. Fidos does not like black or Hispanic people. In or about October 2011, Mr. Lindt, Respondent's comptroller, told me that Mr. Fidos wanted all black and Hispanic employees terminated so that he could replace them with Polish workers. A friendly Polish worker once told me that Mr. Fidos told him not to talk to any black or Hispanic workers and that Mr. Fidos does not like me. In addition, Mr. Fidos told me that 95% of blacks are in prison and the other 5% are like me, barely making it and did not finish college.

Mr. Fidos' harassment has caused other black workers to quit. Fred Sweezer, Don Mitchell, and Roosevelt Miles quit after Mr. Fidos's harassment intensified towards them. Mr. Fidos has also said disparaging comments regarding Jewish tenants and makes comments to a coworker who is married to a Jewish woman during every Jewish holiday.

I complained about the discrimination to Respondent's owner, Mrs. Bass, and informed her that Mr. Fidos was trying to get rid of me, just as he did to Fred, Don and Roosevelt. She told me that Roosevelt was too old for the job and needed to go.

Based on the above, I believe I was discriminated against in violation of Title VII of the Civil Rights Act of 1964, as amended, and other applicable Federal, state, and local anti-discrimination statutes.

CORT S. ZINK
Notary Public, State of New York
No. 01216067791
Qualified in Nassau County
Expires: 4/23/2015

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.
SIGNATURE OF COMPLAINANT

Winston Lawrence
SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

4/5/2013

Date

Charging Party Signature

4/5/2013

EEOC FORM 191 (11/08)

U.S. Equal Employment Opportunity Commission

SOL G ATLAS REALTY CO. INC.
 Attn: Lincoln Page – Director of Human Resources
 185 Great Neck Road
 Great Neck, NY 11021

PERSON FILING CHARGE

Winston Lawrence

THIS PERSON (check one or both)

- ☒ Claims To Be Aggrieved
☐ Is Filing on Behalf of Other(s)

EEOC CHARGE NO.

846-2012-70320

NOTICE OF CHARGE OF DISCRIMINATION

(See the enclosed for additional information)

This is notice that a charge of employment discrimination has been filed against your organization under:

- ☒ Title VII of the Civil Rights Act (Title VII) ☐ The Equal Pay Act (EPA) ☐ The Americans with Disabilities Act (ADA)
☐ The Age Discrimination in Employment Act (ADEA) ☐ The Genetic Information Nondiscrimination Act (GINA)

The boxes checked below apply to our handling of this charge:

- ☒ No action is required by you at this time.
- ☐ Please call the EEOC Representative listed below concerning the further handling of this charge.
- ☐ Please provide by a statement of your position on the issues covered by this charge, with copies of any supporting documentation to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
- ☐ Please respond fully by to the enclosed request for information and send your response to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
- ☐ EEOC has a Mediation program that gives parties an opportunity to resolve the issues of a charge without extensive investigation or expenditure of resources. If you would like to participate, please say so on the enclosed form and respond by to
 If you DO NOT wish to try Mediation, you must respond to any request(s) made above by the date(s) specified there.

For further inquiry on this matter, please use the charge number shown above. Your position statement, your response to our request for information, or any inquiry you may have should be directed to:

Emily F. Halmowitz,
 Investigator

EEOC Representative

Telephone

(212) 336-3759

New York District Office
 33 Whitehall Street
 5th Floor
 New York, NY 10004
 Fax: (212) 336-3625

Enclosure(s): ☐ Copy of Charge

CIRCUMSTANCES OF ALLEGED DISCRIMINATION

- ☒ Race ☐ Color ☐ Sex ☐ Religion ☐ National Origin ☐ Age ☐ Disability ☐ Retaliation ☐ Genetic Information ☐ Other

ISSUES: Other, Suspension, Terms/Conditions

DATE(S) (on or about): EARLIEST: LATEST: 03-18-2013

Date

April 3, 2013

Name / Title of Authorized Official

Kevin J. Berry,
 District Director

Signature



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SOL G ATLAS REALTY

NO. 1763 P. 25

EOC
(9)

INFORMATION ON CHARGES OF DISCRIMINATION

EEOC RULES AND REGULATIONS

Section 1601.15 of EEOC's regulations provides that persons or organizations charged with employment discrimination may submit a statement of position or evidence regarding the issues covered by this charge.

EEOC's recordkeeping and reporting requirements are found at Title 29, Code of Federal Regulations (29 CFR): 29 CFR Part 1602 (see particularly Sec. 1602.14 below) for Title VII and the ADA; 29 CFR Part 1620 for the EPA; and 29 CFR Part 1627, for the ADEA. These regulations generally require respondents to preserve payroll and personnel records relevant to a charge of discrimination until disposition of the charge or litigation relating to the charge. (For ADEA charges, this notice is the written requirement described in Part 1627, Sec. 1627.3(b)(3), .4(a)(2) or .5(c), for respondents to preserve records relevant to the charge – the records to be retained, and for how long, are as described in Sec. 1602.14, as set out below). Parts 1602, 1620 and 1627 also prescribe record retention periods – generally, three years for basic payroll records and one year for personnel records. Questions about retention periods and the types of records to be retained should be resolved by referring to the regulations.

Section 1602.14 Preservation of records made or kept. Where a charge ... has been filed, or an action brought by the Commission or the Attorney General, against an employer under Title VII or the ADA, the respondent ... shall preserve all personnel records relevant to the charge or the action until final disposition of the charge or action. The term *personnel records relevant to the charge*, for example, would include personnel or employment records relating to the aggrieved person and to all other aggrieved employees holding positions similar to that held or sought by the aggrieved person and application forms or test papers completed by an unsuccessful applicant and by all other candidates or the same position as that for which the aggrieved person applied and was rejected. The date of *final disposition of the charge or the action* means the date of expiration of the statutory period within which the aggrieved person may bring [a lawsuit] or, where an action is brought against an employer either by the aggrieved person, the Commission, or the Attorney General, the date on which such litigation is terminated.

NOTICE OF NON-RETALIATION REQUIREMENTS

Section 704(a) of Title VII, Section 207(f) of GINA, Section 4(d) of the ADEA, and Section 503(a) of the ADA provide that it is an unlawful employment practice for an employer to discriminate against present or former employees or job applicants, for an employment agency to discriminate against any individual, or for a union to discriminate against its members or applicants for membership, because they have opposed any practice made an unlawful employment practice by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the statutes. The Equal Pay Act contains similar provisions. Additionally, Section 503(b) of the ADA prohibits coercion, intimidation, threats, or interference with anyone because they have exercised or enjoyed, or aided or encouraged others in their exercise or enjoyment, of rights under the Act.

Persons filing charges of discrimination are advised of these Non-Retaliation Requirements and are instructed to notify EEOC if any attempt at retaliation is made. Please note that the Civil Rights Act of 1991 provides substantial additional monetary provisions to remedy instances of retaliation or other discrimination, including, for example, to remedy the emotional harm caused by on-the-job harassment.

NOTICE REGARDING REPRESENTATION BY ATTORNEYS

Although you do not have to be represented by an attorney while we handle this charge, you have a right, and may wish to retain an attorney to represent you. If you do retain an attorney, please give us your attorney's name, address and phone number, and ask your attorney to write us confirming such representation.